

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAMIEN HESS,  
Defendant.

No. 1:13-cr-10275-PBS-1

**MOTION TO AMEND BOP PLACEMENT RECOMMENDATION**

The defendant, Damien Hess ("Mr. Hess"), by and through undersigned counsel, hereby respectfully moves this Honorable Court to amend its recommendation to the Bureau of Prisons ("BOP") from placement into FCI Taft to, instead, placement into USP Lompoc in Lompoc, California. As grounds therefor, Mr. Hess avers and states as follows:

1. A sentencing hearing for the above-captioned matter was conducted yesterday, June 30, 2015. At the close of the hearing, based on undersigned counsel's representation to the Court, this Court recommended Mr. Hess be placed into the RDAP program at FCI Taft.
2. Undersigned counsel was under the mistaken impression that RDAP was currently available at FCI Taft when it made this representation to the Court; he has since reviewed the list of facilities which have RDAP available and FCI Taft does not appear on said list.
3. The nearest facility to Mr. Hess' residence in California which currently offers the RDAP program is USP Lompoc, which is actually closer to his residence than FCI Taft, and would therefore be a better fit in light of the family circumstances set forth in Mr. Hess' sentencing memorandum and discussed during the sentencing hearing.